

AN ORDINANCE

97884

ACCEPTING THE PROPOSAL AND AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY GRANT-FUNDED PROFESSIONAL SERVICE AGREEMENT IN THE AMOUNT OF \$40,000.00 WITH R.W. BECK, DBA REED, STOWE & YANKE, FOR A FEASIBILITY STUDY FOR A MATERIAL RECOVERY FACILITY; AND PROVIDING FOR PAYMENT; EFFECTIVE IMMEDIATELY IF PASSED BY AT LEAST EIGHT VOTES.

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WHEREAS, the City of San Antonio has been awarded a \$40,000.00 grant from the Texas Commission on Environmental Quality, administered through the Alamo Area Council of Governments, to fund a feasibility study for a Material Recovery Facility (MRF); and

WHEREAS, Ordinance No. 96229 passed August 22, 2002, authorized the City to accept this grant funding; and

WHEREAS, a MRF is a facility that accepts and processes residential recyclables into new products available for market and the study is intended to explore the economic and operational viability of such a facility in the San Antonio area; and

WHEREAS, R.W. Beck, Inc., doing business as Reed, Stowe & Yanke, Engineers, was selected by City staff as the expert best qualified to perform such a study, and staff recommends selection of R. W. Beck, Inc., for this task; and

WHEREAS, certain actions must be performed during the month of June, 2003, in order to meet funding requirements of the granting agencies, making it necessary to create an option for City Council approval by eight (8) affirmative votes to enable this Ordinance and the consultant's contract to become effective immediately; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The proposal of R.W. Beck, Inc., doing business as Reed, Stowe & Yanke, Engineers, to perform a feasibility study for a Material Recycling Facility (MRF) is hereby accepted for agreed compensation in the amount of \$40,000.00, said proposal being contained in an Integration Agreement appended hereto in substantial form as Attachment A, incorporated herein verbatim for all purposes, and for which the City Manager, an Assistant City Manager, or an Assistant to the City Manager shall have authority to execute.

SECTION 2. This Ordinance is effected by the following financial provisions:

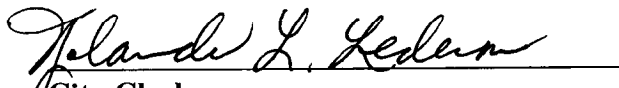
- (a) The following sum is hereby authorized for encumbrance in and payment from Project No. 26-008024: \$40,000.00 payable to Reed, Stowe and Yanke, a division of R.W. Beck, Inc., from Index No. 714550.
- (b) The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the Manager's designee correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 3. Should any adjustment to the contract form attached hereto be negotiated, said modification must be effected and the contract fully executed no later than July 11, 2003, being fifteen (15) calendar days from the date of council action passing and approving this Ordinance; otherwise, this Ordinance shall cease to authorize said contract.


SECTION 4. To meet grant funding requisites, this Ordinance and the contract approved hereunder shall be immediately effective on date of passage if approved by eight (8) affirmative votes of the City Council; otherwise, the Ordinance shall be effective ten days from date of passage, being July 6, 2003, and in such case any professional services provided prior to the effective date of this Ordinance are hereby ratified on condition the services are performed to the benefit of the City and so verified by the Director of Environmental Services Department.

PASSED and APPROVED this 26th day of **June, 2003.**

ATTEST:



City Clerk



for **M A Y O R**
EDWARD D. GARNER

Approved as to form:



for **City Attorney**